

REMARKS**Status of Claims**

Claims 1, 5-14, and 21-29 are pending in the application.

Claims 1, 5-14, and 21-29 stand rejected.

Claim 1 and 14 are amended herein. No new matter is introduced.

Claim Rejections**35 U.S.C. §112**

The Examiner rejects claims 1, 5-14, and 21-29 as allegedly indefinite because, according to the Examiner, the recitation of a “bismuth oxychloride-containing pearlescent ingredient bonded to a colorant” is ambiguous. The Examiner states that the specification is not clear as to whether the bond is a chemical bond, and if so, whether it is of a covalent, ionic, or van der Waals nature. Applicants submit that it is not necessary that the nature of the “bond” be specified because all that is required is that a bond exists, under the broadest reasonable interpretation of that term, provided, however, that the pearlescent ingredient and the colorant are not a mere blend. However, solely to expedite allowance of this case, independent claims 1 and 14 are amended to specify that the pearlescent ingredient and the colorant are bonded “with calcium stearate.” Support for this amended is found, in particular, at page 8, lines 8-10 of the application as filed. In view of the amendments to claim 1 and 14, it is submitted that the rejections §112, second paragraph, are overcome.

35 U.S.C. §103

The Examiner has maintained that rejection of claims 1, 5-10, 13, 14, 21-26, and 29 as unpatentable under 35 U.S.C. §103 over U.S. Patent No. 6,511,672 (“Tan”), and claims 11-12 and 27-28 as unpatentable under 35 U.S.C. § 103 over Tan in view of Brieva. Applicants submit that these rejections are improper for reasons already of record. However, in view of the amendments to independent claims 1 and 14, which clarify that the bismuth oxychloride-containing pearlescent ingredient and the colorant are bonded “with calcium stearate,” Applicants submit that the §103 rejections are overcome. Tan does not remotely suggest a

pearlescent component comprising a bismuth oxychloride-containing pearlescent ingredient bonded to a colorant with calcium stearate.

In view of the foregoing, Applicants submit that independent claims 1 and 14 fully distinguish over Tan and respectfully request reconsideration of all rejections. The rejection of claims 11-12 and 27-28 under 35 U.S.C. § 103 as obvious over Tan in view of Brieva are similarly deficient for at least the same reasons. However, Applicants reserve the right to address the particulars of this rejection, if necessary, in the future.

CONCLUSION

Applicants respectfully submit that the instant application is in condition for allowance. Entry of the amendments and an action passing this case to issue is therefore respectfully requested. In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,

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